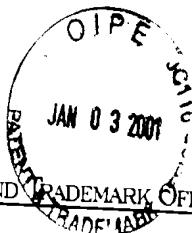




UNITED STATES PATENT AND TRADEMARK OFFICE



COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/677,198	10/02/2000	Michael J. Natan	PSU 002182B

Swanson & Bratschun LLC  
Suite 330  
1745 Shea Center Drive  
Highlands Ranch, CO 80129

# FORMALITIES LETTER



\*OC000000005561702\*

COPY

Date Mailed: 11/16/2000

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

### Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$1588.
  - \$1188 for 66 total claims over 20.
  - \$400 for 5 independent claims over 3.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 2428.

*A copy of this notice MUST be returned with the reply.*

*Laura Harbison*  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

file://C:\APPS\PreExam\correspondence\2\_B.xml

01/08/2001 5:00PM 00000009 09677198  
355.00 0P  
200.00 0P  
594.00 0P  
65.00 0P  
01 FC:201  
02 FC:202  
03 FC:203  
04 FC:205

11/16/00

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Approved for use through 9/30/00. OMB 0651-0031  
Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
It displays a valid OMB control number.

JAN 03 2001

**STATEMENT CLAIMING SMALL ENTITY STATUS & TRADEMARK**  
**(37 CFR 1.9(f) & 1.27(d))--NONPROFIT ORGANIZATION**

Docket Number (Optional)  
**PSU 002182B**

Applicant, Patentee, or Identifier: M. J. Natan, et al.

Application or Patent No.: 09/677,198

Filed or Issued: 10/02/00

Title: Colloidal Rod Particles as Nanobar Codes

I hereby state that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF NONPROFIT ORGANIZATION The Penn State Research Foundation

ADDRESS OF NONPROFIT ORGANIZATION 304 Old Main  
University Park, PA 16802

**TYPE OF NONPROFIT ORGANIZATION:**

- ☐ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
- ☒ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) and 501(c)(3))
- ☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA  
(NAME OF STATE \_\_\_\_\_)  
(CITATION OF STATUTE \_\_\_\_\_)
- ☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) and 501(c)(3))  
IF LOCATED IN THE UNITED STATES OF AMERICA
- ☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA  
(NAME OF STATE \_\_\_\_\_)  
(CITATION OF STATUTE \_\_\_\_\_)

I hereby state that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees to the United States Patent and Trademark Office regarding the invention described in:

- ☐ the specification filed herewith with title as listed above.
- ☒ the application identified above.
- ☐ the patent identified above.

I hereby state that rights under contract or law have been conveyed to and remain with the nonprofit organization regarding the above identified invention. If the rights held by the nonprofit organization are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities and that no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:

- ☒ no such person, concern, or organization exists.
- ☐ each such person, concern, or organization is listed below.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING Thomas J. Monahan (Reg. No. 29,835)

TITLE IN ORGANIZATION OF PERSON SIGNING Director, Intellectual Property Office

ADDRESS OF PERSON SIGNING 113 Technology Center, University Park, PA 16802-7000

SIGNATURE [Signature]

DATE 12/06/00

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PSU 00 2182B

APPLICANT: NATAN ET AL.

SERIAL NO.: 09/677,198

FILED: OCTOBER 2, 2000

TITLE: COLLOIDAL ROD PARTICLES AS  
NANOBAR CODES

EXAMINER:

ART UNIT: 1754

CONFIRMATION NO:

Assistant Commissioner for Patents  
Washington, D.C. 20231  
Box: Missing Part

Dear Sir:

REPLY TO NOTICE TO FILE MISSING PARTS

1. The applicant hereby replies to the "Notice to File Missing Parts of Nonprovisional Application - Filing Date Granted," mailed November 16, 2000. A copy of the Notice is enclosed. In reply to the Notice, the applicant submits:

- (a) the basic filing fee of \$355.00
- (b) surcharge fee of \$65.00;
- (c) additional claims fee of \$794.00;
- (d) assignment recordation fee of \$40.00;
- (e) small entity statement;
- (f) associate power of attorney with letter that delegates signatory authority to Thomas Monahan on behalf of The Penn State Research Foundation;
- (g) a combined declaration and power of attorney signed by the inventors; and
- (h) assignment and assignment recordation form cover sheet.

2. Enclosed is a check for \$1254.00. The check covers the filing fee (\$355.00), the surcharge (\$65.00), the additional claims fee (\$794.00) and the fee for recording the assignment (\$40.00). The foregoing fees are calculated as a small entity.

Applicant claims small entity status. See 37 CFR 1.27.

37 CFR 1.8

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Assistant Commissioner for Patents, Washington, D.C. 20231, Box Missing Part, on December 29, 2000

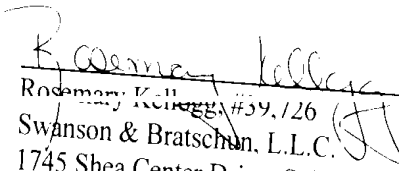
Signature: Elizabeth A. McArthur  
Name: Elizabeth A. McArthur

3. Please address all future correspondence and telephone calls related to the above-referenced case to the following address. Also, please recognize as the "Fee Address" under the provisions of 37 C.F.R. 1.363 the following address:

Thomas J. Monahan, Director  
Intellectual Property Office  
The Pennsylvania State University  
113 Technology Center  
200 Innovation Blvd.  
University Park, Pennsylvania 16802-7000  
Telephone 814-865-6277

The undersigned hereby authorizes the charge of any deficiency to deposit account no. 19-5117.

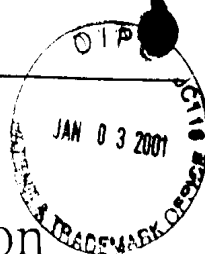
Respectfully submitted,

  
Rosemary Kellogg #59,126  
Swanson & Bratschon, L.L.C.  
1745 Shea Center Drive, Suite 330  
Highlands Ranch, Colorado 80129  
(303) 268-0066

cc: Frank Wojnicki  
William Leschensky

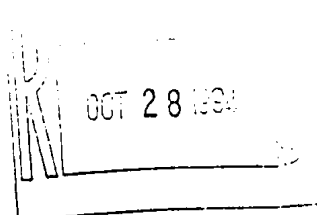
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The Penn State  
Research Foundation



The Pennsylvania State University  
207 Old Main  
University Park, PA 16802-1503  
814-865-6331  
814-865-9639 (fax)

October 19, 1994



Dr. Thomas J. Monahan  
Intellectual Property Office  
113 Technology Center Building  
The Pennsylvania State University  
University Park, PA 16802

Re: PSRF Delegation of Signature for Patent Documents

Dear Dr. Monahan:

As Treasurer of The Penn State Research Foundation, this will serve to confirm my delegation to you of signature authority for the following patent documents:

- Small Entity Statements
- Appointment of Representative, Appoint of Agent, Power of Attorney, and Revocation of Power of Attorney
- Terminal Disclaimer, and
- Certificate of Assignment Chain, Notice of Entitlement

Sincerely,

R. D. Nargi  
Treasurer

RDN/bke

cc: G. C. Schultz  
D. A. Shirley  
K. J. Yost  
M. Righter